

**SPECIAL PROCEDURES SUBMISSION****PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q88674

Kensuke OGAWA, et al.

Allowed: April 4, 2008

Appln. No.: 10/542,383

Group Art Unit: 2874

Confirmation No.: 3458

Examiner: Omar R ROJAS

Filed: July 14, 2008

**FAX RECEIVED****JUL 18 2008**

For: DISPERSION COMPENSATION ELEMENT, OPTICAL CRYSTAL, DISPERSION COMPENSATION SYSTEM, DISPERSION COMPENSATION METHOD

**PETITION TO WITHDRAW APPLICATION FROM ISSUANCE  
IN ACCORDANCE WITH 37 C.F.R. §1.313(a) and (c)(2)****MAIL STOP 313(c)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner to withdraw the above-identified application from issuance in accordance with 37 C.F.R. §1.313(a) and (c)(2). Insofar as Applicant can determine, although the Issue Fee was paid on July 1, 2008, the above-identified application has not been accorded an issue date or a patent number.

The present petition is being filed to request consideration of a request for continued examination (RCE) in compliance with 37 C.F.R. §1.114 and consideration of an Information Disclosure Statement under 37 C.F.R. §1.97, in the above-identified application.

An Information Disclosure Statement and RCE are being filed concurrently herewith.

Pursuant to 37 C.F.R. §1.17(h), the Petition fee of \$130.00 is being charged by Deposit Account No. 19-4880. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this petition and authorization is enclosed.

Respectfully submitted,

SUGHRUE MION, PLLC  
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/Carl J. Pellegrini cjp/  
Carl J. Pellegrini  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

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130.00 DA

Date: July 18, 2008



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# FAX

Date July 18, 2008

To Office of Petitions

Fax (571) 273-0025

From Howard L. Bernstein/Carl Pellegrini

Subject **Petition Under 37 C.F.R. § 1.313(c)- Special Procedures Submission**

Our Ref Q88674 Appln No 10/542,383

Conf No 3458 Inventors Kensuke OGAWA, et al.

Pages 6 (including cover sheet)

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**JUL 18 2008**

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This fax filing includes:

1. This cover sheet
2. Petition to Withdraw Application from Issuance in Accordance with 37 C.F.R. § 1.313(c)
3. Request for Continued Examination
4. Information Disclosure Statement (with modified form PTO/SB/08)

## CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to the Office of Petitions at the Patent and Trademark Office on July 18, 2008, at (571) 273-0025.

Respectfully submitted,

/Carl J. Pellegrini/

Carl J. Pellegrini  
Registration No. 40,766

Washington, DC ~ Tokyo ~ Silicon Valley ~ San Diego